



Legislation Details (With Text)

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8/5/1991	1	City Council	Approved	Pass

**REGULAR SESSION - AUGUST 5, 1991
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The regular session of the Ann Arbor City Council was called to order at 7:32 p.m. in the City Hall Council Chamber by Mayor Elizabeth S. Brater. Council stood for one moment of silence.

Mayor Brater led Council in the recitation of the Pledge of Allegiance.

ROLL CALL OF COUNCIL

PRESENT : Councilmembers Larry Hunter, Ann Marie Coleman, Mark Ouimet (entered at 9:30 p.m.), Kurt Zimmer, Thais Anne Peterson, Robert Eckstein, Mayor Elizabeth S. Brater, 7.

ABSENT : Councilmembers Ingrid B. Sheldon, Kirk D. Dodge, Robert C. Grady, Nelson K. Meade, 4.

INTRODUCTIONS

PRESENTATION BY JUDGE GEORGE ALEXANDER

Judge George Alexander, retiring judge from the Fifteenth District Court, extended thanks to City Council, the citizens of Ann Arbor, the court staff and City Hall employees for making his experience as judge a gratifying one. Judge Alexander requested that City Council take a serious look at the court's space problems and consider the matter as an important challenge for the immediate future.

S.I.P.I.T. - BRYANT SCHOOL TUTORIAL PROGRAM

Councilmember Hunter introduced participants of the S.I.P.I.T.-Bryant School Tutorial Program, and explained that the program's objective is to provide reading and language improvement skills to students in the Bryant School area. Mr. Hunter stated that the program, which is made up of community volunteers, emphasizes older students tutoring younger students. Sky Thompson and Johanna Reed, two student participants, introduced themselves to Council.

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AUDIENCE PARTICIPATION - Reserved Time

ROBERT CAMPBELL - TRINITY-ZION ELDERLY HOUSING PROJECT

Robert Campbell, 1035 Chestnut Rd., representing the Ann Arbor Area Housing Coalition, spoke in favor of the proposed Trinity-Zion Elderly Housing Project to provide needed affordable housing for the elderly in the community. Mr. Campbell supported the creation

of a neighborhood committee to advise the project sponsor of resident concerns, and urged Council to take action tonight to permit the timely filing of the HUD application.

CHARLES AKRE - TRINITY-ZION ELDERLY HOUSING PROJECT

Charles Akre, 413 S. Revena Blvd., Pastor at the Zion Lutheran Church, sponsor of the Trinity-Zion Housing Project, spoke in support of the proposal and stated that the project is viewed by his congregation as a continuation of its community commitment. Mr. Akre reported that the sponsors have held public meetings with neighborhood residents, and expressed appreciation for the City's interest and helpful suggestions concerning the project.

ROBERT MAULBETSCH - TRINITY-ZION ELDERLY HOUSING PROJECT

Robert Maulbetsch, 2575 Blueberry Ln., Chairman of the Zion-Trinity Lutheran Churches Joint Committee, spoke in support of the proposed elderly housing project on North Maple Road, and emphasized that the sponsors have been willing to work with the neighborhood residents to address their concerns. Mr. Maulbetsch urged Council's strong recommendation of the project to show HUD that the City is behind the program.

CAROLYN HASTINGS - TRINITY-ZION ELDERLY HOUSING PROJECT

Carolyn Hastings, 2008 Day St., Executive Director of the Housing Bureau for Seniors, expressed support for the proposed affordable housing project for seniors. Ms. Hastings reported on the long waiting lists for affordable senior housing in Ann Arbor, and urged Council to take advantage of the funding opportunity through HUD by showing strong support for the Trinity-Zion Elderly Housing Project.

FRANK FLOOD - TRINITY-ZION ELDERLY HOUSING PROJECT

Frank Flood, 900 Patricia Ave., representing the North Maple/Sequoia area residents, spoke in opposition to the proposed Trinity-Zion Housing project. Mr. Flood expressed support of the sponsors' aims, but objected to the project's large size and the resulting negative effects on the neighborhood. Mr. Flood stated that the sponsors have been Council - August 5, 1991 3

unresponsive to resident concerns and did not provide adequate notice to the neighborhood. Mr. Flood requested that the City perform an assessment of the economic and social impact of the project by an independent source, prior to the application submission to HUD.

TODD MC KINNEY - CITIZENS FOR SAFE WASTE DISPOSAL

Todd McKinney, 2536 Stone Dr., representing Citizens for Safe Waste Disposal, requested that City Council adopt a resolution calling for the University of Michigan to cease its incineration of hazardous and radioactive waste at the Dean/Baxter incinerator until proper filtration equipment is installed and a review of the University's Air Quality Permit by the Michigan Air Pollution Control Commission is completed. (Proposed resolution on file in the City Clerk's Office)

PUBLIC HEARINGS

HENDRICK ZONING (ORDINANCE NO. 37-91)

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 0.22 acre from TWP (Township District) to R1C (Single-Family Dwelling District), Hendrick property, 431 Parkwood. Notice of public hearing was published July 14, 1991.

There being no one to speak the Chair declared the hearing closed.

COMMUNITY DEVELOPMENT BLOCK GRANT FINAL STATEMENT OF OBJECTIVES

A public hearing was conducted on the proposed amendments to 1990-91 and 1991-92 Community Development Block Grant Final Statement of Objectives. Notice of public hearing was published July 18, 1991.

The following persons appeared:

Rod Kingslien, Home Energy Works Coordinator for the Ecology Center, requested that City funding of the Home Energy Works Program not be reduced. Mr. Kingslien explained that the program provides inexpensive measures to help low-income residents conserve energy in their homes.

Rebecca Kanner, representing the Ecology Center, spoke in support of the Home Energy Works Program which targets very low-income, handicapped and senior citizens and helps them reduce their utility bills as much as 20%.

Ms. Kanner stated that the program addresses economic and environmental needs in the City, and urged Council to continue the program at the requested funding level.

There being no one else to speak the Chair declared the hearing closed.

APPROVAL OF AGENDA

AGENDA APPROVED WITH CHANGES

Councilmember Peterson moved that the agenda be approved with the following changes:

CONSENT AGENDA

Delete: Resolution Accepting Deed for Green Road Right-of-Way (Rescheduled for August 19, 1991)

Delete: Resolution Accepting Easement for Public Utilities from United States Postal Service (Rescheduled for August 19, 1991)

Delete: Resolution Accepting Easement for Public Utilities from Guenther Building Company (Oakridge) (Rescheduled for August 19, 1991)

Delete: Resolution Accepting Easement for Public Utilities from Glacier Way United Methodist Church (Rescheduled for August 19, 1991)

Revise & Resolution Accepting Easement for Public Utilities from Scott and Cheryl

Delete: Bonisteel (Chaucer Court) (Rescheduled for August 19, 1991)

Delete: Resolution Authorizing Conveyance of Mineral Rights in the Black Pond Property to State of Michigan (Rescheduled for August 19, 1991)

Add: Resolution to Approve Change Order No. 2 for Barton Dam Dike Restoration - Bid No. 1991 (\$36,166.08)

Delete: Resolution to Approve Reappropriation for Water Treatment Plant Capital Improvements Projects (\$457,038.96) (previously under Motions and Resolutions) (Rescheduled for August 19, 1991)

MOTIONS AND RESOLUTIONS

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Delete: Resolution to Approve Agreement Between the City of Ann Arbor and the University of Michigan for Police Services (Tabled July 15, 1991)

Delete: Resolution Approving Design RFP for Pedestrian Improvements Along Main Street (\$1,730,000) and Washington Street (\$1,000,000) by the Downtown Development Authority (Tabled May 20 and July 1, 1991)

Delete: Resolution to Approve One-Year Contract Agreement with Ann Arbor Police Officers Association (Rescheduled for August 19, 1991)

Delete: Resolution to Approve Reappropriation for Water Treatment Plant Capital Improvement Projects (\$457,038.96) (See Consent Agenda)

Delete: Resolution Appropriating Environmental Bond Funds for Promotion and Start-Up (\$168,000.00) for Recycling and Waste-Reduction Programs (Rescheduled for August 19, 1991)

Revise: Resolution Regarding MANAGEMENT OF 1991-92 Budget PROGRAM

Correct Resolution to Amend Fiscal Year <(1990-91)> (1991-92) Community Title & Development Budget (\$8,768.00) (Rescheduled for August 19, 1991)

Delete:

Correct Resolution to Approve Extended <Enforcement> Hours OF OPERATION for

Title: Carports and Surface Parking Lots

Add: Resolution to Approve Street Closing for South University Merchants Association "Fall Festival", September 8, 1991

Add: Resolution to Permit Private Well in Public Right-of-Way in Evergreen Subdivision

On a voice vote the Chair declared the motion carried.

APPROVAL OF COUNCIL MINUTES

MINUTES OF JULY 15 AND 17 APPROVED

Councilmember Hunter moved that the regular session minutes of July 15, 1991 and the executive and working sessions minutes of July 17, 1991 be approved as presented.

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On a voice vote the Chair declared the motion carried.

CONSENT AGENDA

CONSENT AGENDA ITEMS APPROVED

Councilmember Coleman moved that the following Consent Agenda items be approved as presented:

R-450-8-91 APPROVED

RESOLUTION TO APPROVE GOINGS ANNEXATION

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Goings Annexation, 0.22 acre, 420 Parkwood.

Whereas, The territory hereinafter described is located in the Township of Scio and is adjacent to the corporate limits of the City of Ann Arbor;

Whereas, David and Judith Goings are the owners of the property; and

Whereas, It is the desire of David and Judith Goings to annex said territory to the City of Ann Arbor, pursuant to the provisions of Act 279 of the Public Acts of the State of Michigan for the year 1909, as amended;

RESOLVED, that the following described lands and premises situated and being in the Township of Scio, Washtenaw County, Michigan, be detached from said Township of Scio and annexed to the City of Ann Arbor, to wit:

Lot 63, the Evergreens Subdivision, Washtenaw County, Michigan, including adjacent Parkwood right-of-way.

R-451-8-91 APPROVED

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RESOLUTION TO APPROVE JOHNSTON ANNEXATION

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Johnston Annexation, 0.42 acre, 3250 Kingwood.

Whereas, The territory hereinafter described is located in the Township of Scio and is adjacent to the corporate limits of the City of Ann Arbor;

Whereas, Donald E. Johnston is the owner of the property; and

Whereas, It is the desire of Donald E. Johnston to annex said territory to the City of Ann Arbor, pursuant to the provisions of Act 279 of the Public Acts of the State of Michigan for the year 1909, as amended;

RESOLVED, that the following described lands and premises situated and being in the Township of Scio, Washtenaw County, Michigan, be detached from said Township of Scio and annexed to the City of Ann Arbor, to wit:

Lots 175 and 176, the Evergreens Subdivision, Washtenaw County, Michigan, including adjacent Rose Drive and Kingwood rights-of-way.

R-452-8-91 APPROVED

RESOLUTION TO APPROVE LIBERTY

MEDICAL COMPLEX ANNEXATION

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Liberty Medical Complex Annexation, 11.01 acres, 3200 West Liberty Road.

Whereas, The territory hereinafter described is located in the Township of Scio and is adjacent to the corporate limits of the City of Ann Arbor;

Whereas, LMC Partners is the owner of the property; and

Whereas, It is the desire of LMC Partners to annex said territory to the City of Ann Arbor, pursuant to the provisions of Act 279 of the Public Acts of the State of Michigan for the year 1909, as amended;

RESOLVED, that the following described lands and premises situated and being in

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the Township of Scio, Washtenaw County, Michigan, be detached from said Township of

Scio and annexed to the City of Ann Arbor, to wit:
Commencing at the Northeast corner of "KILLINS LAKEVIEW SUBDIVISION" a subdivision of part of the Southwest 1/4 of Section 25, T2S, R5E, Scio Township, Washtenaw County, Michigan as recorded in Liber 5 of Plats, Page 51, Washtenaw County Records; thence S 02°00'50" W 687.70 feet along the East line of said Subdivision to the POINT OF BEGINNING; thence S 51°12'20" E 699.44 feet; thence S 88°06'40" E 450.50 feet; thence S 01°53'20" W 524.53 feet to a point on the centerline of Liberty Road; thence N 77°04'10" W 848.00 feet along said centerline; thence N 02°00'50" E 382.00 feet; thence N 77°04'10" W 182.50 feet; thence N 02°00'50" E 365.17 feet along the East line of said "KILLINS LAKEVIEW SUBDIVISION" to the Point of Beginning. Being a part of the Southwest 1/4 of Section 25, T2S, R5E, Scio Township, Washtenaw County, Michigan and containing 11.02 acres of land, more or less, of which 0.64 acres of land, more or less, is in public right-of-way and of which 10.38 acres, more or less, is in unplatted land, including adjacent Liberty Road right-of-way.

**R-453-8-91 APPROVED
RESOLUTION TO APPROVE PRESTON ANNEXATION**

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Preston Annexation, 1.75 acres, 2625 Traver Boulevard.

Whereas, The territory hereinafter described is located in the Township of Ann Arbor and is adjacent to the corporate limits of the City of Ann Arbor; Whereas, Gretchen Preston is the owner of the property; and Whereas, It is the desire of Gretchen Preston to annex said territory to the City of Ann Arbor, pursuant to the provisions of Act 279 of the Public Acts of the State of Michigan for the year 1909, as amended;

RESOLVED, that the following described lands and premises situated and being in the Township of Ann Arbor, Washtenaw County, Michigan, be detached from said Township of Ann Arbor and annexed to the City of Ann Arbor, to wit:

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Commencing at the North 1/4 corner, Section 15, T2S, R6E, Ann Arbor Township, Washtenaw County, State of Michigan, thence S 01°10'23" East 2,140.07 feet along the North-South 1/4 line of said section; thence N 82°35'47" East 526.77 feet along the centerline of Traver Boulevard for a PLACE OF BEGINNING; thence N 01°10'23" West 272.77 feet; thence N 27°12' West 78.89 feet; thence N 13°01'20" West 80.83 feet; thence N 88°49'14" East 130.00 feet; thence S 46°37'35" East 153.24 feet; thence S 01°10'23" East 294.76 feet; thence S 82°35'47" West 189.12 feet along said centerline to the Place of Beginning, being a part of the Northeast 1/4 of said Section 15, subject to the rights of the Public over the Southerly 33.0 feet thereof as occupied by Traver Boulevard. ALSO an easement to use, maintain and repair an underground septic field over the following described parcel: Commencing at the North 1/4 corner of Section 15, T2S, R6E, Ann Arbor Township, Washtenaw County, Michigan; thence S 01°10'23" East 1,357.73 feet along the North-South 1/4 line of said Section 15; thence N 88°32'49" East 1,050.52 feet along the North line of the South 1/2 of the Northeast 1/4 of said Section 15; thence S 01°08'30" East 497.22 feet; thence S 89°57'53" West 38.68 feet; thence S 00°50'34" East 180.70 feet; thence S 82°35'47" West 300.59 feet along the centerline of Traver Boulevard and the North line of Traver Lake Subdivision No. 1; thence N 01°10'23" West 168.76 feet for a PLACE OF BEGINNING; thence N 88°49'37" East 22.00 feet; thence N 01°10'23" West 55.00 feet; thence S 88°49'37" West 22.00 feet; thence S 01°10'23" East 55.00 feet to the Place of Beginning, including adjacent Traver Boulevard right-of-way.

**R-454-8-91 APPROVED
RESOLUTION TO AWARD CONTRACT FOR
DAM SEALS AND HOIST CHAINS REPLACEMENT
AND PAINTING - BID NO. 2151**

Whereas, It has been found necessary to replace seals and hoist chains and paint spillway gates at the Geddes and Superior Dams;
Whereas, Of the two bids received, Atsalis Bros. Painting and Maintenance Co. has submitted the lower and responsible bid for said work in the total amount of \$134,514.25;
Whereas, The contractual proposal specifies the services to be performed by the said company, and the payments to be made by the City, and all are agreeable to the City;
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Whereas, It is now necessary to enter into a contract for the said replacement and painting work; and
Whereas, On June 24, 1991 the Personnel/Human Rights Department approved Atsalis Bros. Painting and Maintenance Co. for said contract;
RESOLVED, That Council accept the proposal and award a contract to Atsalis Bros. Painting and Maintenance Co., the lower and responsible bidder, in the amount of \$134,514.25 for the said replacement and painting work at the Geddes and Superior Dams;
RESOLVED, That Council approve the appropriation of a contingency in the amount of \$13,000.00 to finance change orders to be approved by the City Administrator;
RESOLVED, That \$147,514.25 be budgeted for the life of the project and to be expended without regard to fiscal year;
RESOLVED, That Council appropriate \$147,514.25 as an interim advance from the Water Supply System Fund to be repaid by Water Revenue Bond Series R; and
RESOLVED, That the Mayor and the City Clerk be authorized and directed to sign said contract, approved as to form by the City Attorney and approved as to substance by the City Administrator.

**R-455-8-91 APPROVED
RESOLUTION TO APPROVE BID NO. 2147 FOR
PUBLIC HOUSING SITE IMPROVEMENTS**

Whereas, The 1989-94 Park Millage Fund includes \$50,000.00 for Phase I improvements to Public Housing Sites in Year 2 (1990-91) and \$50,000.00 in Year 5 (1993-94) for Phase II improvements;
Whereas, Margolis Nursery has submitted to the City on July 2, 1991 a bid for said public housing sites improvements in the amount of \$41,545.90 which is the lowest responsible bid; and
Whereas, The Personnel/Human Rights Department approved said company on February 4, 1991;
RESOLVED, That Mayor and City Council approved Bid No. 2147 of Margolis Nursery in the amount of \$41,545.90 and authorize the Mayor and City Clerk to sign the agreement between the City and Margolis Nursery; and
RESOLVED, That funds for the project be appropriated in the amount of \$50,000.00 (including a contingency) for the life of the project to cover the cost of this contract.

**R-456-8-91 APPROVED
RESOLUTION TO APPROVE FISCAL YEAR 1991-92
CDBG ALLOCATION AND TO APPROVE CONTRACT**

Whereas, The CDBG Executive Committee has recommended \$35,000.00 in CDBG funding for Pinelake Village Cooperative for the FY 1991-92 program year;
Whereas, The City Council has approved the FY 1991-92 Statement of Objectives and Projected Use of Funds at its meeting on May 30, 1991 for submission to HUD;
Whereas, The Personnel/Human Rights Department has reviewed and approved

this contractor as of April 11, 1991; and

Whereas, A service contract between the City and Pinelake Village Cooperative has been negotiated;

RESOLVED, That the Mayor and City Council approve the allocation of FY 1991-92 Community Development Block Grant funds to Pinelake Village Cooperative;

RESOLVED, That the Mayor and City Council authorize the transfer of the appropriation from OHS-002-0100-4421 - \$35,000.00 to the account listed below:

AGENCY

Pinelake Village Cooperative \$35,000.00 OHS-002-4100-7170

RESOLVED, That the Mayor and City Council do hereby approve the contract with Pinelake Village Cooperative and authorize the Mayor and City Clerk to execute this contract substantially in the form on file in the Office of the City Clerk beginning July 1, 1991 and terminating June 30, 1992;

RESOLVED, That all programs funded by the Community Development Block Grant shall give priority in targeting services to very low-income families and individuals; and
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RESOLVED, That all programs be required to report progress in providing these services on a quarterly basis and that programs be monitored by Community Development Department staff.

R-457-8-91 APPROVED

RESOLUTION TO APPROVE FISCAL YEAR 1991-92

COMMUNITY DEVELOPMENT BLOCK GRANT CONTRACT

Whereas, The CDBG Executive Committee and City Council have approved the allocation of \$12,150.00 in CDBG funding for the Housing Bureau for Seniors for the FY 1991-92 program year;

Whereas, The City Council has approved the FY 1991-92 Statement of Objectives and Projected Use of Funds at its meeting on May 30, 1991 for submission to HUD;

Whereas, A service contract between the City and the Housing Bureau for Seniors has been negotiated as directed by City Council; and

Whereas, The Personnel/Human Rights Department has reviewed and approved this contractor as of April 11, 1991;

RESOLVED, That the Mayor and City Council do hereby approve the contract with the Housing Bureau for Seniors and authorize the Mayor and City Clerk to execute this contract substantially in the form on file in the Office of the City Clerk for the amount indicated below beginning July 1, 1991 and terminating June 30, 1992.

R-458-8-91 APPROVED

RESOLUTION TO APPROVE FISCAL YEAR 1991-92

CITY GENERAL FUND ALLOCATIONS

Whereas, The Human Services Task Force has recommended the allocation of \$18,000.00 for Green Glacier Community Center and \$6,500.00 for the Ann Arbor Community Center for the FY 1991-92 program year; and

Whereas, The Personnel/Human Rights Department reviewed and approved these
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contractors;

RESOLVED, That the Mayor and City Council do hereby approve the allocation of \$18,000.00 in FY 1991-92 General Funds to Green Glacier Community Center and authorize the Community Development Department to negotiate a six-month contractual agreement with the subgrantee for 50% of the allocated amount, in accordance with the City's purchasing procedures;

RESOLVED, That the agency be reviewed at the end of this initial term and a determination of performance will be made concerning the remaining six-month/50% portion of the contract on or before January 6, 1991;

RESOLVED, That the Mayor and City Council do hereby approve the allocation of \$6,500.00 in FY 1991-92 General Funds to the Ann Arbor Community Center;

RESOLVED, That the Mayor and City Council authorize the transfer of appropriations from Account No. 010-002-0600-4421 to the specific accounts listed below:

HUMAN RIGHTS

AGENCY FUNDING APPROVAL DATE ACCOUNT NOS.

Green Glacier

Community Ctr. \$18,000.00 4/11/91 010-002-4035-7105

Ann Arbor

Community Ctr. 6,500.00 7/26/91 010-002-4010-7005

\$24,500.00

RESOLVED, That the Mayor and City Council do hereby authorize the City Administrator to execute these contracts in substantially the same form as on file in the Office of the City Clerk, in accordance with the City's standard purchasing procedures;

RESOLVED, That these human service programs funded by the General Fund shall give priority in targeting services to very low-income families and individuals; and

RESOLVED, That these programs be required to report progress in providing services on a quarterly basis and that the programs be monitored by the Community Development staff.

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R-459-8-91 APPROVED

RESOLUTION TO APPROVE REHABILITATION AGREEMENT WITH JOHN AND HAZELELLEN ARDNER

Whereas, The Community Development Department directs the housing rehabilitation program for low-income Ann Arbor residents as outlined in the Housing Program Guidelines and accepts applications for rehabilitation assistance;

Whereas, An application was received in October, 1990 from John Jr. and Hazelellen Ardner for rehabilitation assistance to their home located at 807 N. Main St.;

Whereas, Community Development staff has reviewed all required information submitted and has determined them eligible to receive rehabilitation assistance;

Whereas, Community Development staff prepared specifications for the rehabilitation and has received one bid for the work;

Whereas, John Jr. and Hazelellen Ardner are prepared to enter into an agreement in the amount of \$23,111.00 with the lowest responsible bidder for completion of the rehabilitation work; and

Whereas, The Waiver and Review Board at its meeting on July 8, 1991 approved the waiver of the guidelines related to the \$15,000.00 maximum deferred loan amount, the required number of bids and recommended approval of the agreement;

RESOLVED, That the Mayor and City Council approve the rehabilitation agreement with John Jr. and Hazelellen Ardner in the amount of \$23,111.00; and

RESOLVED, That the Mayor and City Council authorize the Mayor and City Clerk to execute the required documents substantially in the form on file in the Office of the City Clerk.

R-460-8-91 APPROVED

RESOLUTION AUTHORIZING CONTRACT WITH MOTOROLA COMMUNICATIONS AND ELECTRONICS, INC. FOR MAINTENANCE OF THE SHARED 800 MHZ ENHANCED TRUNKING RADIO EQUIPMENT

Whereas, The City of Ann Arbor has purchased an 800 MHz Enhanced Trunking

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Radio system from Motorola Communications and Electronics, Inc.

Whereas, The current service agreement on the certain equipment of this system expires on June 30, 1991; and

Whereas, Contracts with Washtenaw County, the City of Saline, the City of Milan, and other local governmental units have been negotiated to share the purchase and maintenance costs of the system controller, twelve base stations, central electronics bank, combiner system, two consolettes, and twelve batteries;

RESOLVED, That the recommendation of the City Administration be approved and that a contract with Motorola Communications and Electronics, Inc. in a form approved by the City Attorney, be authorized by the Council for the City of Ann Arbor in the amount of \$22,836.00;

RESOLVED, That the City Administrator be directed to collect the shared maintenance costs from Washtenaw County, the City of Saline, the City of Milan and other local governmental units in accordance with this resolution and the existing contract;

RESOLVED, That the City Administrator be directed to expend the necessary funds to pay for the maintenance agreement; and

RESOLVED, That the Mayor and City Clerk be authorized to execute said contract in a form substantially the same as on file with the City Clerk.

**R-461-8-91 APPROVED
RESOLUTION FOR DESIGNATION OF
STREET ADMINISTRATOR FOR ACT 51**

Whereas, Section 13(7) of Act 51, Public Acts of 1951 provided that each incorporated city and village to which funds are returned under the provisions of this section, that "the responsibility for street improvements, maintenance, and traffic operations work, and the development, construction or repair of off-street parking facilities and construction or repair of street lighting shall be coordinated by a single administrator to be designated by the governing body who shall be responsible for and shall represent the municipality in transactions with the State Transportation Department pursuant to this Act.";

RESOLVED, That Council designates William R. Wheeler, P.E., as the single Street
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Administrator for the City of Ann Arbor in all transactions with the State Transportation Department as provided in Section 13 of the said Act.

**R-462-8-91 APPROVED
RESOLUTION RECOGNIZING JUDGE GEORGE W. ALEXANDER**

Whereas, Judge George W. Alexander, since January 1, 1975, has served the citizens of the City of Ann Arbor and the State of Michigan as 15th District Court Judge; Whereas, Judge George W. Alexander, having recognized the importance of maintaining positive working relationships with those having matters before the 15th District Court, continually worked with the Ann Arbor City Council, City administration, the Ann Arbor Police Department, the Washtenaw County Sheriff's Department, the City Attorney's and County Prosecutor's offices, members of the bar and all others having business before the 15th District Court to enhance these working relationships so as to improve our system of justice;

Whereas, Judge George W. Alexander has diligently worked during his terms of office to minimize the disruptions that court appearances may have on the daily lives of jurors and other citizens who may be required to use the court's services;

Whereas, Judge George W. Alexander, in spirit and in practice, embodies the highest standards of professional conduct of his elected office; and

Whereas, Those individuals associated with the justice system in our community will deeply miss Judge George W. Alexander's dedication and commitment to protecting the fundamental concepts of our legal system;

RESOLVED, That the Ann Arbor City Council congratulate Judge George W. Alexander on his retirement from the 15th District Court bench and by this resolution express its gratitude for his contributions to improving the administration of justice.

**R-463-8-91 APPROVED
RESOLUTION TO APPROVE APPLICATION FROM
AFTERNOON DELIGHT, INC., 251 E. LIBERTY ST., TO ADD
A PARTNER IN A 1991 CLASS C LICENSED BUSINESS**

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RESOLVED, That the request form Afternoon Delight, Inc. to add Willow V. Hackett

as joint stockholder with Thomas D. Hackett on 3,116 shares of stock in a 1991 Class C licensed business, located at 251 E. Liberty St., Ann Arbor, be hereby approved.

R-464-8-91 APPROVED

**RESOLUTION TO APPROVE CHANGE ORDER NO. 2 FOR
BARTON DAM DIKE RESTORATION - BID NO. 1991**

Whereas, It was necessary to do extra work at a cost of \$36,166.08 to restore the dike at the Barton Dam to meet the requirements of the Federal Energy Regulatory Commission by the June 30, 1991 deadline;

Whereas, The extra work was not delayed in order to avoid imposition of heavy penalties by the Federal Energy Regulatory Commission and to maintain structural safety of Barton Dam; and

Whereas, On March 21, 1991 the Personnel/Human Rights Department approved Douglas N. Higgins Co.;

RESOLVED, That Council approve a \$36,166.08 increase in the original project budget of \$135,827.00 to a new revised total project budget of \$171,993.08 for the life of the project to be expended without regard to fiscal year;

RESOLVED, That Council approve the reappropriation of \$30,000.00 from the FY 1990-91 Budget Dam Capital Account balances as unreserved retained earnings to the FY 1991-92 Budget Dam Capital Construction Account, 042-073-4910-5190; and

RESOLVED, That the Mayor and Council approve the Change Order No. 2 in the amount of \$36,166.08 for Barton Dam Dike Restoration project, and that the City Administrator be authorized and directed to issue this change order.

The question being the foregoing Consent Agenda items as presented, on a voice vote the Chair declared the motion carried.

ORDINANCES - Second Reading

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37-91 APPROVED

HENDRICK ZONING

An Ordinance to Amend the Zoning Map Being a Part of Chapter 55 of Title V of the Code of the City of Ann Arbor

This ordinance would change the zoning of 0.22 acre, located at 431 Parkwood, from TWP (Township District) to R1C (Single-Family Dwelling District).

Councilmember Coleman moved that the ordinance be adopted at second reading.

On roll call the vote was as follows:

Yeas, Councilmembers Hunter, Coleman, Zimmer, Peterson, Eckstein, Mayor Brater, 6;
Nays, 0.

The Chair declared the motion carried and the ordinance adopted at second reading.

ORDINANCES - First Reading

43-91 APPROVED AS AMENDED

LITTERING AND ANIMAL CONTROL IN CITY PARKS

An Ordinance to Amend Section 3:2 of Chapter 39 of Title III of the Code of the City of Ann Arbor

This ordinance would add littering and certain animal control offenses to the list of park restrictions and, thus, would allow park rangers to write tickets when they see a violation of these regulations.

Councilmember Hunter moved that the ordinance be approved at first reading.

Councilmember Coleman moved that paragraph 3:2(3) be amended as follows:

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3:2. Restrictions.

While in a park, no person shall...

(3) Damage, deface or destroy any shrub, tree, flower or other public property or throw or deposit litter in the park OTHER THAN IN DESIGNATED CONTAINERS....

On a voice vote the Chair declared the motion carried.

The question being the ordinance as amended, on a voice vote the Chair declared the

motion carried and the ordinance approved at first reading.

MOTIONS AND RESOLUTIONS

TABLED

**RESOLUTION TO APPROVE THE EXTENSION FOR
TURNBERRY FINAL PRELIMINARY PLAT**

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed extension for Turnberry Final Preliminary Plat, 61.28 acres, south side of Packard Road, west of US-23.

Whereas, Turnberry Development Corporation has requested a two-year extension of the Turnberry Subdivision Final Preliminary Plat; and
Whereas, City departments have reviewed said request and have recommended the extension;

RESOLVED, That the extension of the Turnberry Subdivision Final Preliminary Plat be hereby extended from July 10, 1991 to July 10, 1993.

Councilmember Coleman moved that the resolution be adopted.

Councilmember Coleman moved that the resolution be tabled to the August 19, 1991 regular session of Council.

On a voice vote the Chair declared the motion carried and the resolution tabled.

Councilmember Peterson moved that the resolution be placed on the table for 20 Council - August 5, 1991 reconsideration.

On a voice vote the Chair declared the motion carried.

Councilmember Coleman moved that the resolution be adopted.

Councilmember Coleman moved that the resolution be tabled until the Third Ward Councilmembers have the opportunity to review the matter.

On a voice vote the Chair declared the motion carried and the resolution tabled.

TABLED

**RESOLUTION TO APPROVE COMPUTER SOFTWARE MAINTENANCE
(AMERICAN MANAGEMENT SYSTEMS, INC.)**

Whereas, The Information Services Department and the Assessor's Department wish to continue the OASIS software maintenance contract with American Management Systems, Inc.;

Whereas, AMS, Inc. is the sole vendor for OASIS software maintenance; and

Whereas, American Management Systems has been approved by the

Personnel/Human Rights Department on July 5, 1991;

RESOLVED, That the recommendation of the City Administrator be approved, and that a purchase order be authorized to American Management Systems in the amount of \$42,839.00 from the Information Services Department.

Councilmember Zimmer moved that the resolution be adopted.

Councilmember Zimmer moved that the resolution be tabled for further review of the recent information provided by the Information Services Department.

On a voice vote the Chair declared the motion carried and the resolution tabled.

R-465-8-91

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**SUBSTITUTE RESOLUTION APPROVED
RESOLUTION TO SUPPORT CONCEPT OF
TRINITY-ZION ELDERLY HOUSING PROJECT
AND APPROVE ALLOCATION OF \$15,000 FROM
THE ANN ARBOR HOUSING TRUST FUND**

Whereas, The need to provide more housing that is affordable to low-income elderly Ann Arbor residents has been well documented in local surveys, census data, public hearings, human service agency surveys, and subsidized housing complex waiting lists;
Whereas, The City of Ann Arbor has expressed the desire to work with private developers and nonprofit entities in providing affordable housing;

Whereas, Trinity and Zion Lutheran Churches in cooperation with Lutheran Social Services of Michigan are proposing to submit an application to the Department of Housing and Urban Development for Elderly 202 Program funding for up to 56 units on a site owned by the sponsors at the southwest corner of North Maple Road and Sequoia Parkway in Ann Arbor;

Whereas, The sponsor has submitted an application to the Ann Arbor Housing Trust Fund for a \$15,000.00 zero interest seed money loan to pay for pre-development costs with funds to be reimbursed at commencement of construction if the project is approved; Whereas, A meeting was held at the site by the sponsors on July 11, 1991, at which the concept was presented;

Whereas, The Housing Policy Board at its meeting on July 19, 1991, approved a resolution to support the concept of the project as well as the allocation of Housing Trust Funds;

Whereas, The Planning Commission at its meeting of July 24, 1991, after a public hearing, also approved a resolution to support the concept of the project; and

Whereas, The Mayor and City Council recognize that the additional housing provided by the Trinity-Zion project will help meet a critical community need;

RESOLVED, That the Mayor and City Council strongly support the application by the sponsors to the Department of Housing and Urban Development for Elderly 202 Program funding;

RESOLVED, That the Mayor and City Council approve the allocation of \$15,000.00 22 Council - August 5, 1991

from the Ann Arbor Housing Trust Fund as a zero interest seed money reimbursable loan for pre-development costs in order to meet the public purpose of providing affordable housing within the community; and

RESOLVED, That upon approval of the application for Elderly 202 Program funding by the Department of Housing and Urban Development, the Mayor and City Council direct all appropriate City departments and appointed boards and commissions to work expeditiously with the Department of Housing and Urban Development, the project sponsors, and the neighborhood residents in the design and execution of the project. Council unanimously agreed that the above substitute resolution distributed at the beginning of the meeting be placed on the table for consideration. (Original resolution on file in the City Clerk's Office)

Councilmember Peterson moved that the substitute resolution be adopted.

On a voice vote the Chair declared the motion carried.

**R-466-8-91 APPROVED AS AMENDED
RESOLUTION TO SUPPORT AMENDING THE INDUSTRIAL
FACILITIES ACT - P.A. 198, 1974**

A resolution to support amending the Industrial Facilities Act (P.A. 198, 1974) was considered.

Councilmember Coleman moved that the resolution be adopted.

Council unanimously agreed to amend the last paragraph of the resolution as follows:

RESOLVED, That a copy of this resolution be forwarded to Senator Pollack, Representative Bullard, Representative O'Connor, <and> Representative Jondahl AND GOVERNOR ENGLER.

The question being the resolution as amended, on a voice vote the Chair declared the motion carried.

Council - August 5, 1991 23

The resolution as adopted reads as follows:

**R-466-8-91
RESOLUTION TO SUPPORT AMENDING THE INDUSTRIAL
FACILITIES ACT - P.A. 198, 1974**

Whereas, Michigan law under Public Act 198, 1974 permits municipal governments to offer special tax incentives in the form of abatements for industries that expand or renovate aging plants, build new facilities, and/or promote the development of

research/development laboratories;

Whereas, Local governments utilize these tax abatements to attract businesses to their communities which often times involve businesses moving from one community to another creating a dysfunctional system that results in winners and losers;

Whereas, It is in the public interest to eliminate this unhealthy competition especially between communities that are not seriously economically depressed;

Whereas, The intent of Public Act 198 is to provide an economic vehicle for seriously distressed urban areas to attract jobs and increase the property tax base in these cities for the provision of services to a needy population; and

Whereas, Efforts are presently under way by the legislature of the State of Michigan to amend the Industrial Facilities Act to assure that its use serves only those cities with demonstrated need;

RESOLVED, That the Mayor and City Council strongly support efforts by the House Committee on Taxation to amend the Industrial Facilities Act limiting the use of industrial facilities tax abatements to urban areas with demonstrated need; and

RESOLVED, That a copy of this resolution be forwarded to Senator Pollack, Representative Bullard, Representative O'Connor, Representative Jondahl, and Governor Engler.

TABLED

**RESOLUTION TO APPROVE PURCHASE OF
800 MHZ RADIO EQUIPMENT FOR LAWNET
AND THE UTILITIES DEPARTMENT**

24 Council - August 5, 1991

Whereas, The Livingston/Washtenaw County LAWNET, of which the Ann Arbor Police Department is a member, has requested and approved the purchase and by-in cost for 26 - 800 MHz mobile radios for its street units;

Whereas, By coordinating the purchase of the LAWNET radios with the Utilities Department purchase of units, LAWNET obtains a \$12,000.00 discount;

Whereas, The Utilities Department needs to have reliable and effective radio communications capabilities to effectively and responsibly perform its service, and the existing 158 MHz system is substantially overloaded, obsolete and nearing the end of its service life;

Whereas, Replacement of existing radios with 800 MHz units will result in improved and reliable radio communications capabilities now and in the future;

Whereas, The adding of 88 units to the 800 MHz system assists in meeting FCC requirements to preserve channels on this frequency presently allocated for the City's use;

Whereas, Motorola Communications and Electronics, Inc. has submitted quotations of \$103,917.00 for the supply and installation of the radio equipment for LAWNET and \$166,879.00 for the supply of radio equipment for the Utilities Department;

Whereas, On June 24, 1991 the Personnel/Human Rights Department approved Motorola Communications and Electronics, Inc. for this purchase; and

Whereas, For each unit there is a \$778.89 capital cost buy-in for the 800 MHz system;

RESOLVED, That Council accept the transfer of funds from LAWNET to the 800 MHz non-departmental account to coordinate the purchase and installation of the radio equipment for LAWNET;

RESOLVED, That Council accept the quotation and approve the purchase of 800 MHz radio equipment from Motorola Electronics, Inc.;

RESOLVED, That Council approve 800 MHz system buy-in costs of \$20,251.14 and \$48,291.18 respectively for the LAWNET and Utilities Department units; and

RESOLVED, That the Mayor and Council authorize and direct the City Administrator to purchase the aforesaid radio equipment from Motorola Communications and Electronics, Inc. in a total amount of \$270,796.00 and to release payment to the Washtenaw County 800 MHz User Group for system capital buy-in costs of \$68,542.32.

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Councilmember Coleman moved that the resolution be adopted.
Councilmember Coleman moved that the resolution be tabled to the August 19, 1991 regular session of Council for further information regarding LAWNET.
On a voice vote the Chair declared the motion carried and the resolution tabled.

**R-467-8-91 APPROVED
RESOLUTION TO APPROVE STANDING
PURCHASE ORDER TO MICHIGAN CAT**

Whereas, The Solid Waste Department currently operates 10 heavy duty Caterpillar vehicles at the Ann Arbor Landfill;
Whereas, Bid specifications required Caterpillar Equipment Company to guarantee the total cost of repair on the equipment provided, in accordance with Bid Nos. 920, 967, 1002, 1230, 1383 and 1569;
Whereas, The City of Ann Arbor is required to maintain the equipment in accordance with the manufacturer's recommendations;
Whereas, All repair parts must be purchased from an authorized dealer;
Whereas, Michigan CAT, located in Novi, Michigan, is the district-authorized Caterpillar dealer for our area;
Whereas, The Solid Waste Department purchased parts and services from Michigan CAT during the 1990-91 fiscal year exceeding \$80,000.00;
Whereas, Funds have been provided in the 1991-92 revolving equipment budget; and
Whereas, Michigan CAT received Human Rights Department approval July 3, 1991;
RESOLVED, That the Solid Waste Department be hereby authorized to process a standing purchase order to Michigan CAT in the amount of \$100,000.00; and
RESOLVED, That the City Administrator be authorized to approve invoices in 26 Council - August 5, 1991 excess of \$15,000.00.

Councilmember Hunter moved that the resolution be adopted.
On a voice vote the Chair declared the motion carried.

**R-468-8-91 APPROVED
RESOLUTION TO APPROVE PURCHASE ORDER TO
MADISON ELECTRIC FOR ELECTRICAL SUPPLIES FOR
TRANSPORTATION, PARKS AND UTILITIES DEPARTMENTS**

Whereas, The Transportation, Parks and Utilities Departments purchase repair and other supplies from Madison Electric; and
Whereas, Madison Electric has been approved by the Human Rights Department on May 22, 1991;
RESOLVED, That City Council approve the issuance of purchase orders to Madison Electric for the following departments in the amounts shown:
DEPARTMENT AMOUNT
Transportation \$35,325.00
Parks 9,000.00
Utilities-Water
Treatment Div. 8,500.00
TOTAL \$52,825.00

Councilmember Hunter moved that the resolution be adopted.
On a voice vote the Chair declared the motion carried.

**R-469-8-91 APPROVED
RESOLUTION REGARDING MANAGEMENT OF
Council - August 5, 1991 27
1991-92 BUDGET PROGRAM**

Whereas, It is the intent of the City Council to maintain basic direct services as much as possible during the 1991-92 budget year, even though many difficult decisions

were made by the City Council during the budget adoption process;
Whereas, The City Administrator has reviewed the adopted 1991-92 budget and has identified a number of potential areas where funding levels may not be adequate to maintain some basic direct services, and that during the year other instances may arise that will require decisions relative to maintaining service levels;
Whereas, The Administrator has informed Department Heads that all efforts should be made to stay within departmental appropriations, while not decreasing direct services to the public--a challenge that may be difficult in some departments; and
Whereas, In order for the City Administrator to manage the 1991-92 budget program, while adhering to the objective of not reducing direct services to the public, the City Administrator will need the flexibility to manage the 1991-92 financial plan on a daily basis, making decisions about service levels that may require budget transfers within and between departments, or possibly additional appropriations;
RESOLVED, That the Mayor and Council support the Administrator in his attempt to manage the 1991-92 budget plan in accordance with the criteria set forth, and that the Mayor and Council make interdepartmental transfers as necessary during the fiscal year;
RESOLVED, That the Mayor and Council, in an effort to assist, support, and cooperate with the Administrator in managing the very challenging 1991-92 budget, recognize the need for and support the Administrator in making intradepartmental transfers, provided that amounts in any line item exceeding 10% or \$1,000.00 be approved by the Administrator, in order to assure smooth and uninterrupted services; and
RESOLVED, That the Administrator report to the Mayor and Council for informational purposes, on a quarterly basis, listing said transfers of amounts greater than 10%.

Councilmember Coleman moved that the resolution be adopted.
On a voice vote the Chair declared the motion carried.

R-470-8-91 APPROVED

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**RESOLUTION TO APPROVE AMENDMENTS TO 1990-91
AND 1991-92 COMMUNITY DEVELOPMENT BLOCK GRANT
FINAL STATEMENT OF OBJECTIVES**

Whereas, The U.S. Department of Housing and Urban Development has accepted the City of Ann Arbor's Statement of Community Development Objectives and Projected Use of Funds for the period July 1, 1990 through June 30, 1991 and July 1, 1991 through June 30, 1992;

Whereas, The City of Ann Arbor desires to amend the FY 1990-91 Statement of Objectives to reference human services and economic development activities funded under the General Fund and project oversight;

Whereas, The City desires to amend the FY 1991-92 Statement of Objectives to include General Fund supported human services and economic development activities, the addition of Economic Development as an activity by allocating \$25,000.00 for the Ann Arbor Community Development Corporation, and the reduction in Energy Conservation by decreasing funding for the Ecology Center from \$25,000.00 to \$11,973.00;

Whereas, Public hearings have been held to solicit the views of Ann Arbor residents and agencies involved and interested in the program; and

Whereas, The CDBG Executive Committee has reviewed the proposed amended statements at its meeting on July 22, 1991 and recommended their approval to City Council;

RESOLVED, That the City Council hereby approve the amended FY 1990-91 and FY 1991-92 Statements of Community Development Objectives and Projected Use of Funds and authorize their submission to the U.S. Department of Housing and Urban Development (HUD); and

RESOLVED, That the City Council authorize the Mayor to transmit required documentation to the U.S. Department of Housing and Urban Development.

Councilmember Coleman moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-471-8-91 APPROVED

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**RESOLUTION PROCLAIMING NATIONAL NIGHT OUT,
AUGUST 6, 1991**

Whereas, The National Association of Town Watch is sponsoring the 8th annual edition of an important nationwide crime and drug prevention event on August 6, 1991 called "National Night Out";

Whereas, "National Night Out" provides a unique opportunity for the City of Ann Arbor to join forces with thousands of other communities across the country in promoting cooperative police/community crime and drug prevention efforts;

Whereas, The Ann Arbor Police Department plays a vital role in Washtenaw County's crime prevention efforts and is supporting "National Night Out 1991" locally;

Whereas, It is essential that all citizens of the City of Ann Arbor be aware of the importance of crime prevention programs and the impact that their participation has on reducing crime and drug abuse in Ann Arbor; and

Whereas, Neighborhood awareness, community unity and (police and fire) community cooperation are the important themes of the "National Night Out" program;

RESOLVED, That the City of Ann Arbor Council, does hereby call upon all citizens of Ann Arbor to join the Ann Arbor Police Department and the National Association of Town Watch in supporting and participating in the "8th Annual National Night Out" on August 6, 1991; and

RESOLVED, That the City of Ann Arbor Council does hereby proclaim Tuesday, August 6, 1991 as "National Night Out" in the City of Ann Arbor.

Councilmember Coleman moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-472-8-91 APPROVED AS AMENDED

**RESOLUTION TO APPROVE EXTENDED HOURS OF OPERATION
FOR CARPORTS AND SURFACE PARKING LOTS**

A resolution to approve extended hours of operation for carports and surface parking lots
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was considered.

Councilmember Coleman moved that the resolution be adopted.

Council unanimously agreed to amend the last paragraph by correcting the "Proposed Hours of Operation" for the Washington & First Carport as follows:

Current Hours Proposed Hours

Carports of Operation of Operation

Washington & First 8am-6pm, Mon-Sat <All permit-24 hrs.>

NO CHANGE

Councilmember Hunter moved that the last paragraph be amended by deleting the proposed extended hours of operation for the City Hall surface lot as follows:

Current Hours Proposed Hours

Surface Lots of Operation of Operation

City Hall 8am-6pm, Mon-Sat <8am-9pm, Mon-Sat>

NO CHANGE

On a voice vote the Chair declared the motion carried.

The question being the resolution as amended, on a voice vote the Chair declared the motion carried.

The resolution as adopted reads as follows:

R-472-8-91

**RESOLUTION TO APPROVED EXTENDED HOURS OF OPERATION
FOR CARPORTS AND SURFACE PARKING LOTS**

Whereas, The 1991-92 Budget includes a \$200,000.00 revenue increase in parking violation revenues;

Whereas, This increase in revenue is contingent on extended hours of operation at parking structures and surface parking lots; and
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Whereas, The Transportation Department has estimated that extending the existing hours of operation, as shown below, will generate an additional \$191,000.00 in parking violation revenues;

RESOLVED, That in order to realize the increase in revenues adopted in the 1991-92 Budget, Ann Arbor City Council does hereby approve the proposed extended hours of operation in these parking structures and surface parking lots as shown:

Current Hours Proposed Hours
Carports of Operation of Operation
Ann/Ashley 8am-6pm, Mon-Sat 8am-9pm, Mon-Sat
Forest 8am-6pm, Mon-Sat 8am-9pm, Mon-Sat
Fourth & Washington 7am-11pm, Mon-Thur No change
7am-12:30am, Fri-Sat No change

Current Hours Proposed Hours
Carports (Cont.) of Operation of Operation
Fourth & William 7am-6pm, Mon-Sat 7am-9pm, Mon-Sat
Liberty Square 7am-11pm, Mon-Sat No change
Maynard 7am-11pm, Mon-Sat No change
Washington & First 8am-6pm, Mon-Sat No change

Current Hours Proposed Hours
Surface Lots of Operation of Operation
Fifth Avenue 8am-8pm, Mon-Sat 8am-9pm, Mon-Sat
Church 8am-6pm, Mon-Sat 8am-9pm, Mon-Sat
Main & William 8am-6pm, Mon-Sat 8am-9pm, Mon-Sat
Main & Ann 8am-6pm, Mon-Sat 8am-9pm, Mon-Sat
South Ashley 8am-6pm, Mon-Sat 8am-9pm, Mon-Sat
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City Hall 8am-6pm, Mon-Sat No change
Kerrytown 8am-6pm, Mon-Sat 8am-9pm, Mon-Sat
Fourth & Catherine 8am-6pm, Mon-Sat 8am-9pm, Mon-Sat
First & Huron 8am-6pm, Mon-Sat 8am-9pm, Mon-Sat
Community High School 8am-6pm, Mon-Sat 8am-9pm, Mon-Sat
Depot 24 hours No change
Farmers Market 8am-6pm, (Market Day 8am-9pm, (same exceptions) exceptions)
E. University 8am-9pm No change

**R-473-8-91 APPROVED
RESOLUTION TO APPROVE RENTAL RATE
FOR SPECIAL EVENTS HELD IN
THE FOURTH AND WILLIAM CARPORT**

RESOLVED, That a parking rate of \$6.00 per space be herein established by the Ann Arbor City Council for use of the Fourth and William Carport for special events. Councilmember Hunter moved that the resolution be adopted. On a voice vote the Chair declared the motion carried.

**R-474-8-91 APPROVED
RESOLUTION APPROVING AGREEMENT WITH
STANFORD BROTHERS D/B/A VARSITY FORD TO PERMIT
CONNECTION TO SANITARY SEWER PENDING ANNEXATION**

RESOLVED, That the City approve the proposed agreement with Stanford Brothers, Inc., d/b/a/ Varsity Ford, to provide sanitary sewer service to the property described below prior to completion of annexation proceedings upon the condition that the Council - August 5, 1991 33

property owner has completed the filing of all necessary information and paid all fees for the processing of its petition for annexation; and

RESOLVED, That the Mayor and City Clerk be then authorized to execute a standard agreement to provide sanitary sewer service outside the City to the property in Scio Township described as follows:

Commencing at the SW corner of Section 24, T2S, R5E, Scio Township, Washtenaw County, Michigan; thence N 01°03'41" W 63.98 feet along the West line of said section for a Place of Beginning; thence continuing N 01°03'41" W 348.47 feet along said west line; thence N 88°49'50" E 250.00 feet; thence N 01°03'41" W 161.81 feet; thence S 75°47'20" E 313.14 feet along the SW right-of-way line of Interstate Highway I-94; thence S 67°40' E 598.44 feet along said SW line; thence S 40°07'33" E 175.20 feet along said SW line; thence S 88°01'40" W 211.77 feet along the north line of Jackson Avenue; thence S 01°03'41" E 35.0 feet; thence S 88°01'40" W 200.0 feet along the north line of Jackson Avenue; thence N 01°03'41" W 35.0 feet; thence S 88°01'40" W 351.29 feet; thence S 13°51'40" E 35.77 feet; thence S 88°01'40" W 456.76 feet along the north line of Jackson Avenue to the Place of Beginning, being a part of the SW 1/4 of said Section 24, and A part of the Southwest 1/4 of Section 24, Town 2 South, Range 5 East, described as: Commencing at the Southwest corner of said Section 24; thence North 01°03'41" West, 412.45 feet along the West line of Section 24; thence North 88°54'49" East, 80.00 feet to the Point of Beginning; thence North 01°03'41" West, 115.00 feet along the Easterly Right-of-Way line of Wagner Road; thence North 88°54'49" East, 170.00 feet; thence South 01°03'41" East, 115.00 feet; thence South 88°54'49" West, 170.00 feet to the Point of Beginning.

Councilmember Coleman moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

**R-475-8-91 APPROVED
RESOLUTION TO APPROVE ADDENDUM TO RECYCLING
COLLECTION AGREEMENT WITH RECYCLE ANN ARBOR AND
ADDENDUM TO RECYCLING PROCESSING AGREEMENT
WITH THE UNIVERSITY OF MICHIGAN**

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Whereas, The City of Ann Arbor is requesting two additions to the contract with Recycle Ann Arbor, one to allow alternating week collection of curbcarts under the City's multi-family program, and the second to allow the addition of University of Michigan recycling curbcarts as part of the program;

Whereas, The option for alternating week pickup of curbcarts is being requested to cost-effectively service smaller multi-family complexes;

Whereas, The City of Ann Arbor and the University of Michigan have continually expressed at every administrative and political level their mutual interest and intent to work cooperatively on solid waste projects;

Whereas, Both the City and University embrace the need and recognize the economies of scale in developing and cooperating on regional solutions to the solid waste crisis and, therefore, not duplicate efforts or investments;

Whereas, The addition of University of Michigan recycling curbcarts will help the City of Ann Arbor take advantage of service discounts outlined in its contract with Recycle Ann Arbor;

Whereas, The City of Ann Arbor is leasing vehicles to Recycle Ann Arbor with adequate capacity to service both the City and the University as defined under this agreement over the next three years; and

Whereas, The pricing structure established with the University will cover vehicle usage and program administrative costs;

RESOLVED, That City Council approve the addendum to the service agreement

with Recycle Ann Arbor (on file in the City Clerk's Office) that allows the addition of alternating week service of curbcarts and University of Michigan curbcarts to the program; RESOLVED, That City Council approve the addendum to the recycling processing agreement between the University of Michigan and the City of Ann Arbor (on file in the City Clerk's Office) for curbside recycling collection services effective October 1, 1991; and RESOLVED, That the Mayor and City Clerk be authorized to sign this addendum and agreement on behalf of the City of Ann Arbor.

Councilmember Coleman moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

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R-476-8-91 APPROVED

**RESOLUTION TO APPROVE STREET CLOSING
FOR SOUTH UNIVERSITY MERCHANTS ASSOCIATION
"FALL FESTIVAL" - SEPTEMBER 8, 1991**

RESOLVED, That South University be closed and parking prohibited from East University to Forest, and Church Street (one block) from South University to the Forest Street Parking Structure, on Sunday, September 8, 7 a.m. to 9 p.m., for the purpose of holding a "Fall Festival" organized by the South University Merchants Association;

RESOLVED, That the South University Merchants Association file all necessary street closure and event (e.g. noise/banner, etc.) permits, and comply with all liability insurance and other requirements (including maintaining fire lanes);

RESOLVED, That the South University Merchants Association has agreed to pay the costs for services provided by the Police, Transportation, Solid Waste, and Building Departments, and any associated fees for putting on this event; and

RESOLVED, That licenses for peddling and solicitors not affiliated with the South University Merchants Association event not be valid within the "Fall Festival" area.

Councilmember Coleman moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-477-8-91 APPROVED

**RESOLUTION TO PERMIT PRIVATE WELL IN PUBLIC
RIGHT-OF-WAY IN EVERGREEN SUBDIVISION**

RESOLVED, That the City Administrator be authorized to issue a permit to Gelman Sciences, Inc. to install and operate a groundwater monitoring and/or purge well and appurtenances in the Evergreen Street and Valley Dr. rights-of-way, after approval of the construction plans by the City Engineer, approval of the discharge to the storm sewer system by the Utilities Director, and approval as to form by the City Attorney.

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Councilmember Coleman moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

REPORTS FROM COUNCIL COMMITTEES

None.

COUNCIL PROPOSED BUSINESS

None.

COMMUNICATIONS FROM THE MAYOR

WASHTENAW COUNTY SOLID WASTE MANAGEMENT PLAN

Mayor Brater called Council's attention to the communication in the Clerk's Report regarding Washtenaw County's Solid Waste Management Plan and the selection of an agent to negotiate for long-term solid waste disposal capacity. Ms. Brater requested a recommendation from the City Administrator concerning this matter.

CENSUS DATA ERRORS

Mayor Brater informed Councilmembers that an update on census data was requested from the Information Services Department in preparation for redistricting, and that serious errors were found in the City's census data. The Mayor stated that a plan is needed to correct these errors, and asked Councilmembers to contact Fred Bohl in Information

Services with any input on the matter.

APPOINTMENTS APPROVED

Mayor Brater recommended the following appointments at the July 15, 1991 regular session of Council:

DOWNTOWN DEVELOPMENT AUTHORITY

George Wahr Sallade (reappointment)

126 N. Division St.

Term: 8-5-91 to 8-5-95

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Edward D. Surovell (to replace Carey Jernigan)

2024 Vinewood Blvd.

Term: 8-5-91 to 8-5-95

John Finn (to replace Joe E. O'Neal)

1500 South Blvd.

Term: 8-5-91 to 8-5-95

NATURAL FEATURES ORDINANCE COMMITTEE

Councilmember Bob Eckstein

Chair

Gwen Nystuen

1016 Olivia Ave.

Wendy Carman

2340 Georgetown Blvd.

Kenneth R. Schwartz

1307 Newport Rd.

Kim C. Waldo

3423 Charing Cross Rd.

Janis Bobrin

Washtenaw County Drain Commissioner

P.O. Box 8645

Michael Garfield

734 Spring St.

HOUSING COMMISSION

Omer Jean Winborn (to replace Paquetta Palmer)

2336 Jonathan Ct.

Term: 8-5-91 to 8-5-96

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ELIZABETH DEAN FUND COMMITTEE

Elizabeth L. Stranahan (to replace Bridget McGillicuddy)

1530 Hill St.

Term: 8-5-91 to 7-31-94

Denis M. Robison (reappointment)

1435 Bardstown Trail

Term: 8-5-91 to 7-31-93

Jack Etsweiler (to replace Mary Jo Hepburn)

2118 Pauline Blvd.

Term: 8-5-91 to 7-31-94

ELIZABETH DEAN FUND COMMITTEE (Cont.)

Margaret Prendergast (reappointment)

1039 Martin Pl.

Term: 8-5-91 to 7-31-93

Merrill C. Dudley (reappointment)

1126 Fair Oaks Pkwy.

Term: 8-5-91 to 7-31-93

Craig Terrell (to replace Mark E. Suino)

1116 Brooks St.

Term: 8-5-91 to 7-31-94

Peggy Laird (reappointment)

3150 Hunting Valley Rd.

Term: 8-5-91 to 7-31-93

COMMUNITY DEVELOPMENT WAIVER AND REVIEW BOARD

Patricia Vereen Dickson (to replace Howard Stewart)

2367 Arrowwood Trail

Term: 8-5-91 to 8-5-93

Dan Klimaszewski (to complete Board membership requirements)

3228 Bluett Dr.

Term: 8-5-91 to 8-5-93

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CITY MARKET COMMISSION

Mary Alice Guyer (to replace Barbara Stephenson)

3630 W. Huron River Dr.

Term: 8-5-91 to 8-5-94

Patricia Pooley (to complete Board membership requirements)

16 Geddes Hts.

Term: 8-5-91 to 8-5-94

Marguerite Oliver (to complete Board membership requirements)

2892 Bay Ridge Dr.

Term: 8-5-91 to 8-5-94

CITY MARKET COMMISSION (Cont.)

Mildred Parker (reappointment)

15174 Sherman

Milan, MI

Term: 8-5-91 to 8-5-94

Councilmember Coleman moved that Council concur with the recommendations of the Mayor.

On a voice vote the Chair declared the motion carried.

NOMINATIONS PLACED ON TABLED

Mayor Brater placed the following nominations on the table for approval at a later date:

NATURAL FEATURES ORDINANCE COMMITTEE

Kirk Dodge

City Councilmember

Isaac-Jacobein Campbell

505 E. Liberty St.

CITY ATTORNEY SEARCH COMMITTEE

Ingrid Sheldon

City Councilmember

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Mark Ouimet

City Councilmember

Larry Hunter

City Councilmember

Thais Peterson

City Councilmember

Elizabeth S. Brater

Mayor

AIRPORT ADVISORY COMMITTEE

Robert Shulman (to replace John Wolter)

2759 Manchester Rd.

Term: 8-15-91 to 8-15-94

MAYOR'S BLUE RIBBON COMMITTEE ON CITY FINANCE AND MANAGEMENT

Ingrid Sheldon

City Councilmember

HOUSING POLICY BOARD

Bruce Curtis (to replace Ken Staples upon his resignation)
5 Keppler Ct.

Term: 8-19-91 to 8-19-94

ANN ARBOR COMMISSION ON DISABILITY ISSUES

Jeffrey Gordon Bennett (to replace Gerri Meadows-Franklin, upon her resignation)

3254 Chelsea Cir.

Term: 8-19-91 to 8-19-94

DOWNTOWN DEVELOPMENT AUTHORITY

Kris Hoppe (to replace Peter Long)

340 S. Division St.

Term: 8-19-91 to 8-19-95

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Leah Gunn (to replace Don Chisholm)

1308 E. Stadium Blvd.

Term: 8-19-91 to 8-19-95

(Councilmember Ouimet entered at 9:30 p.m.)

VACATION

Mayor Brater announced that she will be on vacation during the next regular session of Council and that Mayor pro tem Hunter will chair the meeting.

CITY ATTORNEY ISSUE

Mayor Brater expressed regret that the Ann Arbor News printed misinformation regarding the resignation of the City Attorney and his settlement agreement. Ms. Brater announced that Council is going forward with a national search for a City Attorney and will be looking for diversity in the candidates.

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

REPORTS SUBMITTED

Administrator Gatta submitted the following reports for information of Council:

1. Closure of State of Michigan Resource Recovery Implementation Grant Program
 2. Ellsworth Road Bikepath
 3. Fraleigh's Nursery
 4. Temporary Parking for Art Fair
 5. Roadways Adjacent to Veterans Administration Hospital
 6. Traffic Signal Requests
 7. Traffic Signal at Fuller/Mitchell Field
 8. Parking Structure Renovation Project During Art Fair
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9. Signage for the Parking Structure Project
 10. Kline's Lot Renovation
 11. Resident/Nonresident Canoe Livery Fees and Scholarships
 12. Pavement Marking of Cracked Sealed Streets
 13. Economic Impact of Doors and Drawers
 14. Paving of Lorraine Street
 15. Street Cleaning of White and Arch Streets
 16. Solid Waste Department Progress Report - August 1991

(Reports on file in the City Clerk's Office)

COMMUNICATIONS FROM THE CITY ATTORNEY

None.

COMMUNICATIONS FROM COUNCIL

None.

CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS

The following communications were referred as indicated:

1. Official Notice of Michigan Municipal League 93rd Annual Convention, October 2-4, 1991 - File.
2. Communication from Secretary of the Senate Willis H. Snow transmitting Senate Resolution No. 145 opposing new stadium for Detroit Tigers - File.

3. Communication from Donald D. MacMullen, 2020 Chalmers Dr., regarding use of property located at 1917 Washtenaw Ave. - File.

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4. Communication from Gail M. Palmer, 700 Leona Dr., regarding proposed senior housing project on N. Maple Rd. - File.

5. Resolution from City of Benton Harbor, Michigan regarding Presidential Preference Primary Election - File.

6. Communication from Senator Carl Levin Regarding Council Resolution Supporting the Adoption of a Comprehensive Surface Transportation Act, approved June 17, 1991 - File.

7. Communication from Rebecca Head, Director of Washtenaw County Environmental Coordination Office, transmitting Solid Waste Management Plan Update of 1989 and Selection of Agent - Solid Waste.

The following minutes were received for file:

1. Waiver and Review Board - July 8, 1991

2. Commission on Handicapper Concerns - June 17, 1991

3. Downtown Development Authority - May 9, June 20, June 28 1991

4. Historic District Commission - June 13, 1991

5. Planning Commission - June 11 and 25, 1991

Councilmember Peterson moved that the Clerk's Report be accepted.

On a voice vote the Chair declared the motion carried.

AUDIENCE PARTICIPATION - General

None.

ADJOURNMENT

There being no further business to come before Council, it was moved by Councilmember Hunter that the meeting be adjourned.

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On a voice vote the Chair declared the motion carried and the meeting adjourned at 9:38 p.m.

W. Northcross

Clerk of the Council

Janet L. Chapin

Recording Secretary